It will pay you, too,

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LOUISIANA PURGHASE EXPOSITION DEDIGATED.

A Centennial Celebration.

Hundredth Anniversary of Acquisition of Territory of Louisiana Duly Observed - Prest. Roosevelt, Ex-Prest. Cleveland, Governors of Sovereign States, Representatives of Foreign Governments Assist in Dedicatory Ceremonies.

erously contributing their treasures of art and industry, bind together the gov

ernments of the earth in closer ties of

and commercial intercourse. May it hasten the dawn of the reign of the Prince of Peace, when national con-flicts will be adjusted, not by hostile

armies-but by permanent courts o

augurated in the interests of peace and commerce, help to break down the wall

of dissension, of jealousy and prejudice that divides race from race, nation from

nation, and people from people, by pro-claiming aloud the sublime gospei truth

that we are all children of the same God, brothers and sisters of the same Lord Jesus Christ, and that we are all aspiring to a glorious inheritance in the

everlasting kingdom of our common

president of the day, was introduced.

HON. THOMAS CARTER.

One hundred years today the govern-

ment of the United States acquired sov-ereignty over the vast territory of the

Mississippi river, which has been since known to the geographical nomencia-ture of the world as "The Louisiana Purchase." Beyond the river the boun-

daries and the resources of the teritory were ill defined, and but vaguely com-

prehended. The purchase price of \$15,

000,000 was pronounced exorbitant, the free navigation of the Mississippi be-

ing the only part of the property deem-ed worthy of serious consideration. The

transaction was regarded by many as a violation of the Constitution and a

menace to our form of government. The grave doubts of President Jefferson were only resolved into action by his

patriotic desire for national supremact

over the river, and his prophetic faith in the possibilities of the mysterious country beyond it. The revelations of

century have most amply justified

men, will dedicate the buildings. The

magical story of local developments

puts to shame the creation of fiction. In conformity with a special act of

Congress, the president has invited all

the nations to co-operate with us in

In the name of the national com-

extend to you all a cordial welcome, and, responsive to this inspiring scene

of peace and generous feeling I call up-on the chorus to favor us with Beetho-

ven's creation hymn. (Cheers.)

Those best informed will, by unani-

mous consent, yield to Hon. David R.

Francis, president of the capital, the

neasure of praise for the organization

of the expansion and the construction of the buildings he will present to the

president of the United States for dedi-

After the rendition of "The Heaven

Proclaiming" by the chorus of 2,000 of the Fair association, delivered the

following address, presenting the build-

HON, DAVID FRANCIS' ADDRESS.

"The people of the Louisiana pur-

the federal Union. They are grate

ful for the benefits that have flowed

from a life under the enduring insti-tutions formed by the founders of the

republic. They congratulate their

brothren on the position our country occurdes among the nations of the

earth and felicitate themselves on the

part they have performed toward rais-

ing it to its present prestige and power.

"They felt it a patriotic duty to fit-

A PATRIOTIC DUTY.

tingly commemorate the completion of the first century of their connection

with the American republic and the

rounding out of an important epoch in the life of the republic. In the dis-

charge of that duty this exposition was conceived. The inhabitants of the 1

The people of this city, grateful for

mediate responsibility it entailed. The

century just closed, unequalled as

velopment of the Louisiana territory

upon lines broad enough to take in

"A scheme so ambitious in the in-ception, early had comparatively few

every people and every clin

states and two territories compris

ings of the fair.

He spoke as follows:

"May this international exhibition, in-

fellowship and good will, and of social

st Louis April 30 .- The rites which to which the family of nations are gensent the Louislana purchase expomon to the world were performed in liberal arts building today with all dignity and splendor befitting such

A parade of 11,000 soldiers down Linboulevard to the world's fair ground ormed a brilliant prelude to the ceremony of dedication.

This prelude over, 60,000 people crowdd into the big auditorium where, in presence of official representatives (all the civil nations of the world, the erds of dedication were spoken by the esident of the United, States.

the last syllable fell from the ker's lips, and the dedication of one the world's greatest fairs was comd, 60,000 voices rose in a prodigious Roosevelt, ex-President

cland and an imposing company of atists, governors, senators, con ional representatives, government als and representatives of the exion came direct to the liberal arts from the lunch which was oved in tents on the ground.

resident Roosevelt, ex-President

veland, President Francis, of the

company; President Carter, mission: members he cabinet, and the supreme court, the president's right sat the visit diplematists, a distinguished lookigent which attracted much in this section also were er distinguished foreigners and rep ves of the state department a entatives representing Con and Gen. Miles, whin and Gen. John C. Bates, with The two front sections of the audiwinn proper were occupied by the nal world's fair commissioners, the sited States government board, Unit-States senators and congressments who were not members of the congresonal joint delegation, and other notaguests. Across the aisles was

men, including wives or guests of the men connected with the ceremon ad the board of lady managers: Back of these rose tier on tier the ands comomnly spoken of as the sides President Roosevelt, other

dispants in the ceremony were Carachievements of a century in this new id Henry C. Potter, former Presiden It is fitting that the celebration should and, Thomas H. Carter, presiden be international for you will in vain atthe day, and David H. Francis. tempt to name a civilized country whose sons and daughters have not contribut being the one hundredth anniver ed to the glorious triumphs of peace ary of the signing of the treaty which recorded here. tansferred the Louisiana purchase from France to the United States, a mittee directed by Congress to provide for the dedication ceremonies,

The day's demonstrations will conthe tonight with a display of firehe weather was the only disapwinting factor of the day. lized early in a sprinkling of rain M marched in a temperature close to freezing point. For a few moments we fell, but only enough of it to give

sible evidence of the temperature. IN THE ARTS BUILDING.

The doors of the liberal arts buildt were opened at I o'clock and at 2:15 n President Roosevelt entered th olding he was greeted by the cheers 19,000 people. At 2:25, when the as eably was called to order by Presi-ted Francis the noise was so great that his voice could not be heard 20 from the rostrum. He introduced rdinal Gibbons, who delivered the lowing invocation:

CARDINAL GIBBONS' PRAYER

We pray Thee, O God of might, wiscom and justice, through whom authority is rightly administered, laws are caused, and judgment decreed, assist with Thy holy spirit of counsel and forflude, the president of these United States, that his administration may be ed in righteousness and be emally useful to Thy people over whom esides, by encouraging due respect or virtue and religion, by a faithful exherey, and by restraining vice and imlaws in justice and

Let the light of Try divine wisdom thet the deliberations of Congress, and line forth in all their proceedings and within the purchase selected St. Louis as the scene of the celebration. at, so that they may tend to the preseration of peace, the promotion of na-tional happiness, the increase of industr, sobriety and useful knowledge, and may perpetuate to us the blessings of the bonor conferred, promptly accepted it and cheerfully assumed the in

we pray for his excellency, the gover-by of this state, for the members of the was in every line of progress, furnished no more striking evidence of the advance of civilization than the dedute, for all judges, magistrates rand our political welfare that they may be enabled by Thy powerful pro-tetion to discharge the duties of their A celebration in such an age and in such a country, to be fit, should be upon a scale in keeping with the best and highest, and should be planned

We pray for the president and directors of the Louisiana Purchase expositive, that their arduous labors may be created with success, and may redound to the greater growth and development of the fourishing city on the banks of the Father of Waters.

May this year, forestory, which was

advocates, and encountered many antagonists and more doubters. It could not be accomplished without the recog-rition and the aid of the general gov-May this vast ferritory which was becefully accounted a hundred years as he for all time to come, the translatened, God-fearing and industrious leads engaged in the variation required. ernment, which for a time it seemed impossible to enlist. It was decided that the amount required to launch an undertaking so comprehensive should be the same as that paid for the emsate of millions of en-sople engaged in the various pursuits ind avocations of life. As this new thout sanguinary strife, so may its pire which Jefferson purchased-\$15.-000.000. Congress said to St. When you have secured two-thirds of that sum we will provide the remaining

sinews had been secured; the first step accomplished. Two years have since clapsed. During that period the work has been pushed in every sate and territory and possession of the United States, and in every civilized country on the earth. The disappointment experienced and the obstacles encountered have but served to put to renewed effort those who from the inception of the movement had determined to carry it to a successful consummation.

"The further encouragement from the

i. to a successful consummation.

"The further encouragement from the general government in the provision for its own exhibit, the co-operation of the 41 states and territories and possessions of the United States, the pledged participation of 32 foreign countries, are the results of the vigorcus domestic and foreign exploitation.

"To the president of the United States, to the accomplished representatives of foreign countries, to the chief executive of the sovereign states, to the senators and representatives of the national Congress, to the great concourse of visitors here congregated. We extend greetings. If you are pleased with what has been accomplished, your approval is abundant reward for the laborate. your approval is abundant reward for the labor we have performed.

BUILDINGS PRESENTED.

"And now, Mr. President, it is my "And now, Mr. President, it is my pleasing privilege and high honor to present to you for dedication the buildings of the Louisiana Purchase exposition. May a high standard of citizenship and a broader humanity and the mission of the country whose worthy representatives you are, he sustained and fostered and promoted by the uses to which these structures are devoted. to which these structures are devoted. May the happiness of mankind be advanced and broadened by the lofty purposes that inspired this undertaking. and moved our own and our sister countries to unite in its accomplish-ment."

At the conclusion of President Fran-cis' address, terrific cheers broke forth to greet President Roosevelt whose dedication address was as follows:

PRESIDENT'S ADDRESS.

Following the invocation of the cardinal, ex-United States Senator Thomas J Carter, of the national world's fair commission, who acted as "Mr. President, Ladies and Gentlemen; "At the outset of my address let me recall to the minds of my hearers that the soil upon which we stand; before it was ours, was successively the posession of to mighty empires, Spain and France, whose sons made a deathless record of heroism in the early an-nals of the new world. No history of the western country can be written without paying heed to the wonderful part played therein in the early days by the soldiers by the soldiers, missionaries, explorers and traders, who did their work for the honor of the proud banners of France and Castile. While the settlers of Eng. lish-speaking stock, and those of Dutch German, and Scandinavian origin who were associated with them, were still clinging close to the eastern seaboard, pioneers of Spain and of France had penetrated deep into the hitherto unknown wilderness of the west and had wandered far and wide within the ounderies of what is now our mighty ountry. The very cities them Louis, New Orleans, Santa Fe, New Mexico-bear witness by their titles to the nationalities of their founders. It was not until the revolution had begun that the English-speaking settlers pushed west across the Alleghenies, and not When the treaty of cession was con-cluded President Jefferson represented less than 6.000,000 of people. During these ceremonies President Roosevelt, the executive of over 80,000,000 of free-men will deduce the building. The until a century ago that they entered in to possess the land upon which we now stand.

WHAT IS COMMEMORATED.

"We have met here today to commemorate the hundredth anniversary of the event which more than any other, after the foundation of the government and always excepting its preservation, determined the character of our national life-determined that we should be a great expanding nation instead of relatively a small and stationary one "Of course it was not with the Lou-

isiana purchase that our career of expansion began. In the middle of the Revolutionary war the Illinois region, cluding the present states of Illinois and Indiana, was added to our domain by force of arms, as a sequel to the adventurous expedition of George Rogers Clarke and his frontier riflemen. Later the treaties of Jay and Pinckney materially extended our real boundaries to the west. But none of these events was of so striking a character as to fix the popular imagination. The old 12 colmies had always claimed that their rights stretched westward to the Misissippi, and vague and unreal though these claims were until made good by conquest, settlement, and diplomacy, they still served to give the impression that the earliest westward movements of our people were little more than the filling in of already existing national

BEYOND THE MISSISSIPPL "But there could be no fliusion about the acquisition of the vast territory beyond the Mississippi, stretching west, ward to the Pacific, which in that day was known as Louisiana, This immense region was admittedly the territory of foreign power, of an European king None of our people had ever laid laim to a foot of it. Its acquisition ould in no sense be treated as rounding out any existing claims. When we acquired it we made evident once for all that consciously and of set purpose we had embarked on a career of expan-sion, that we had taken our place among those daring and hardy nations who risk much with the hope and desire of winning high position among the great powers of the earth. As is so of-ten the case in nature, the law of de-velopment of a living organism showed tself in its actual workings to be wiser than the wisdom of the wisest.

WORK OF EXPANSION.

"This work of expansion was by far the greatest work of our people during the years that intervened between the adoption of the Constitution and the outbreak of the civil war. There were other questions of real moment and im-portance, and there were many which at the time seemed such to those engaged in answering them; but the greatest feat of our forefathers of those generations was the deed of the men who, with pack train or wagon train, on horseback, on foot, or by boat upon the waters, pushed the frontier ever

westward across the continent.
"Never before had the world seen the kind of national expansion which gave our people all that part of the American continent lying west of the thirteen original states; the greatest landmark in iginal states; the greatest landmark in which was the Louisiana purchase. Our triumph in this process of expansion was indissolubly bound up with the success of our peculiar kind of federal government; and this success has been so complete that because of its very completeness we now sometimes fail to appreciate not only the all-importance but the tremendous difficulty of the with which our nation was originally faced.

Supreme Court Ousts Sheets

Highest Judicial Tribunal of the State Holds That the Big Detective Was Not Legally Placed at the Head of the Police Department and is Therefore Not Its Chief-Vindication for the City Council.

livered an opinion holding that Detec- statute. tive George A. Sheets was not legally appointed chief of police; that he henceforth refrain from discharging any of the duties of said office and that he be ousted therefrom. It is held that he did not receive a majority of the votes of the city council, which was necessary written by Chief Justice Baskin and concurred in by Justice Bartch, while Justice McCorty concurred in that portion of the opinion which holds that it ,

confirmation creates a liability against afternoon when a "News" man called for information. Inquiry developed the fact that it was not known whether he had vacated or not. The belief was that he had not but that he would do so late in the day and turn the department over to Capt. Burbidge, from whom he received it when he was appointed a few weeks ago. It is probable that Mayor Thompson will send the name of another appointee to the city council, which meets tomorrow night.

elected to the city council to confirm an

appointee of the mayor, but dissents

from that part which holds that such

THE OPINION.

Baskin, C. J. This is an original action of quo warranto instituted in this ourt by the attorney general, on behalf of the state, to test the right of the de-fendant, George A. Sheets, to the office of chief of police of Salt Lake City, which he claims under an alleged appointment by the mayor and city councii, and in pursuance of which he enity of the appointment of the defendant is the only question involved.

The office of chief of police was cre-

ated by city ordinance. Sec. 214, Rev. Stat., 1898, is, as follows: "The mayor, by and with the advice and consent of the council, may appoint all such officers and agents as may be provided for by law or ordinance, and, in like manner, fill all vacancies among the same, except as otherwise provided

It is admitted that at the time of the alleged appointment of Sheets there was a vacancy in said office, and that the mayor had the authority, by and with the advice and consent of the city council, to fill the same by appointment. The appointment of Sheets was sent by the mayor to the city council for approval. The council consists of 15 mempers, and at a regular meeting of the same at which only 13 members were present, a motion to consent to and con firm the appointment was made and a vote thereon was taken in which of the 13 members present voted for and six against the motion.

On the part of the state it is contended that the consent of a majority of all the members of the council was necessary under the section of the statute be-fore quoted: while on behalf of the defendant it is claimed that the consent of the majority of the quorum present was only required. The number of councilmen whose consent is necessary o confirm an appointment by the mayr is not in terms expressed in said se tion of the statute. The intention of said section, in that respect, is ascervisions of the statutes which shed light

Sec. 200 of the Rev. Stat. provides that majority of the council elected shall constitute a quorum to do busi-This general provision, if it were not limited by subsequent pro-visions, would sustain the contention of the defendant, but there are others by which it is limited. Under the pro-visions of Sec. 202, Rev. Stat. the con-currence of a majority of the members elected to the city council is necessary to the passage of all ordinances, and all propositions to create any liability against the city.

The state claims that the confirmaion of an appointment creates a liability against the city, and requires the concurrence of a majority of the coun cilmen. On the other hand the defendant contends that no liability is created thereby. It follows, from the pro-visions of sec. 202, that if any liability is created against the city by the appointment, that a concurrence of a macouncil is necessary. The question hing-es upon the meaning of the word "lia- tion creates a liability against the city

The Supreme court this afternoon de- bility," as used in said section of the

The second definition of the word liability in Black's law dictionary, is "exposed or subject to a given contingency, risk, or casualty, which is more or less probable."

In Rapalje's law dictionary it is said that liability is "The condition of be-ing actually or potentially subject to as including every kind of obligation, or, in a more special sense, to denote inchoate, future, unascertained or imperfect obligations, as opposed to debts, the essence of which is that they are ascertained and certain."

Anderson's law dictionary defines a contingent liability, to be "A liability which is not absolute, but depends upon an uncertain event; as the liability

The liability of an endorser or a sure-y is contingent and not actual, until efaultaby the payee or principal. In the case of Cochran & Sayer v U., 157 U. S., 286, 296, the court said: "We know of no definition of the word lability either given in the distance.

liability' either given in the dictionar-es or as used in the common speech of men, which restricts it to such as are absolute, or excludes the idea of con-tingency. In fact, it is more frequently used in the latter sense than in the forthe liability to accidents or to error and in Websters dictionary the word liable is said to refer 'to a possible of probable happening, which may not ac tually occur; as horses are liable to slip even the sagacious are liable to make

I'. R Co., 178 III., 64, 70, it is said that he word (liable) as used in the policy as not signify a perfected or fixe al liability, but rather a condition of which a legal liability may arise e word, as most frequently used to necessarily exclude the idea of

In view of the foregoing definitions it is clear that the confirmation by th city council of an appointment by the mayor, when the office has been previ cusly created and the salary has been proviously fixed, creates a contingen liability, dependent only upon the future acceptance, qualification and dis charge of the duties of the office, by the appointee, events which, upon an appointment were liable to occur, as was evidently anticipated by the city was evidently anticipated by the city council when the appointment was made. This being so, it required the consent of a majority of the council to confirm the appointment of the defendant. This conclusion is strengthened by the provisions of section 215 Revised Statutes, in which it is provided that an appointive officer may vided that an appointive officer may be removed by the mayor with the conwith the concurrence of the mayor move is incident to the power to ap point in the absence of some provision of law fixing the duration of the office

and the mode of removal." 23 Am and Eng. Ency. Law, 435, and the numerous cases here cited in N. 10. The duration of the term of chief of police is not fixed by law. In view of the foregoing principles it is a reasonable conclusion that the word council was used in section 214 in the same sense as in section 215, and that it was intended that the concur-

rence of the same number of the councilmen necessary in a removal by the mayor, is also necessary to both a removal by the council and an appoint-ment by the mayor, for unless that force is given to the word council the anomaly is presented of the legislature requiring a concurrence of a majority to a removal by the mayor, and a concurrence of a majority, only, of a quorum of the council, when the re-

moval is made by it.

We are clearly of the opinion that the defendant has not been legally ap-It is therefore ordered that the said

George A. Sheets be, and he is hereby, quated from the office of chief of police of Salt Lake City, and that he hence forth refrain from performing any of the duties thereof, and that he pay the costs in this behalf expended taxed at --- dollars. I concur

BARTCH J. M'CARTY'S CONCURRENCE.

McCarty, J .- Qualified Concurrence I concur in that portion of the opinion wherein it is held that it requires a majority of all the members elected t the city council to confirm an appointee of the mayor, but dissent from that

into being this nation, they undertook | zation, but each colony as soon as cretask for which there was but little ated, became entirely independent of encouraging precedent. The develop-ment of civilization from the earliest was almost as apt to prove its enemy ment of civilization from the earliest period seemed to show the truth of two propositions: In the first place, it had always proved exceedingly difficult to secure both freedom and strength in any government; and in the second place, it had always proved well-nigh impossible for a nation to expand without either breaking up or becoming a controllized tyranny. With the success ut either breaking up or becoming a entralized tyranny. With the success entralized tyranny. f our effort to combine a strong and dicient national union, able to put down formidable foreign foe, save spasmoddisorder at home and to maintain our ically. As soon as powerful. low to deal. This success was signal and all-important, but it was by no means unprecedented in the same sense that our type of expansion was unprece-

ROME AND GREECE

dented

The history of Rome and of Greece

all mankind its debtors for the ages, nent empires arose on its outskirts, the Greek states in the neighborhood of such empires fell under their sway. National power and greatness were completely sacrificed to local liberty.

RISE OF ROME.

"With Rome the exact opposite occurred. The imperial city rose to abfillustrates very well the two types of expansion which had taken place in ancient time and which had been universally accepted as the only possible curred. The imperial city rose to absolute dominion over all the peoples of Italy and then expanded her rule over the entire civilized world by a process which kept the nation strong and unitour forefathers joined to call

versally accepted as the only possible types up to the period when as a nation we ourselves began to take possession of this continent. The Grecian states performed remarkable feats of colonigreat and masterful race of warriors, rulers, road-builders, and administrators stamped their indelible impress upon all the after life of our race, and yet let an over-centralization eat out the vitals of their empire until it became an empty shell; so that when the barbarians came they destroyed only what had already become worthless to the world.

AN UNTRIED REMEDY

type of expansion was plain enough and the remedy now seems simple enough. But when the fathers of the republic first formulated the Constiution under which we live this remed tution under which we live this remedy was untried and no one could foretell how it would work. They themselves began the experiment almost immediately by adding new states to the original thirteen. Excellent people in the east viewed this initial expansion of the country with great alarm, Excelly as during the colonial various many actly as during the colonial period many good people in the mother-country thought it highly important that set-tlers should be kept out of the Ohio valley in the interest of the fur com-panies, so after we had become a naion many good people on the Atlantic coast felt grave apprehension lest the might somehow be hart by the west-ward growth of the nation. These good people shook their heads over the formation of states in the fertile Ohio valley which now forms part of the heart of our nation; and they declared that the destruction of the republic had been accomplish

ve acquired nearly half of what is now that same republic's present territory Nor was their feeling unnatural. Only the adventurous and the far-seeing can be expected heartily to welcome the process of expansion, for the nation that expands is a nation which is entering upon a great career, and with greatness there must of necessity come erils which daunt all save the most

stout-hearted.

"We expanded by carving the wilder es into territories and out of these erritories building new states when once they had received as permanent settlers a sufficient number of our own people. Being a practical nation we have never tried to force on any section of our new territory an unsuitable form suitable for another section under dif-erent conditions. Of the territory covered by the Louisiana purchase a por-tion was given statehood within a few years. Another portion has not been admitted to statehood, although a century has elapsed-although doubtless it on will be. In each case we showed the practical governmental genius of our race by devising methods suitable to meet the actual existing needs; not by insisting upon the application of some abstract shibboleth to all our new possessions alike, no matter how inongruous this application might some

BUILDING UP STATES.

"Over by far the major part of the ter ritory, however, our people spread in such numbers during the course of the nineteenth century that we were able to build up state after state, each with exactly the same complete local inde-pendence in all matters affecting purely ts own domestic interests as in of the original thirteen states each owing the same absolute fealty to the Union of all the states which each of the original thirteen states also owes—and finaly each having the same proportional right to its share in shaping and direct. ign the common policy of the Union which is possessed by any other state,

whether of the original thirteen or not A NATURAL ORDER NOW. "This process now seems to us part of wholly unknown until our own people devised it. It seems to us a mere matter of course, a matter of elementary right and justice, that in the delibera. tions of the national representative bodies the representatives of a state which came into the Union but yester-day stand on a footing of exact and entire equality with those of the common wealths whose sons once signed the Declaration of Independence. But this way of looking at the matter is purely modern, and in its origin purely American. When Washington during his pres idency saw new states come into the Union on a footing of complete equality which had colonies still administered them as dependencies, and every other mother-country treated the colonist not as a self-governing equal but as a sub-

since been followed by all the great peoples who were capable both of ex-pansion and of self-government, and now the world accepts it as the natural process, as the rule; but a century and a quarter ago it was not merely exceptional; it was unknown.

SIGNIFICANCE OF PURCHASE.

"This, then, is the great historic significance of the movement of continen-tal expansion in which the Louisiana purchase was the most striking single achievement. It stands out in marked relief even among the feats of a nation of pioneers, a nation whose people have from the beginning been picked out by process of natural selection from ng the most enterprising individuals of the nations of western Europe. The acquisition of the territory is a credit to the broad and far-sighted statesmanship of the great statesmen to whom it was immediately due, and above all to the aggressive and master. ful character of the hardy ploneer folk to whose restless energy these statesmen gave expression and direction, whom they followed rather than led. The history of the land comprised with. in the limits of the purchase is an epitome of the entire history of our people. Within these limits we have gradually built up state after state until now they many times over surpass in wealth, in population, and in manysided development, the oliginal thirteen states as they were when their delegates met in the Continental Congress. MIGHTY IN WAR.

"The people of these states have shown themselves mighty in war with their fellow-man, and mighty in strength to tame the rugged wilderness. could not thus have conquered the forest and the prairie, the mountain and the desert, had they not possessed the great fighting virtues, the qualities which enable a people to overcome the forces of hostile men and hostile nature. On the other hand, they could not have used aright their conquest had they not in addition possessed the qualities of self-mastery and self-restraint power of acting in combination with their fellows, the power of yielding obe-dience to the law and of building up an orderly civilzation. Courage and hardihood are indispensable virtues in

(Continued on page two.)

About Crazy Conductors.

They Were a Feature in the Ellison Murder Case Today-Made So by Judge Powers Who Also Wanted to Know if Rubbing the Hands is a Sign of Insanity-Defend. ant Told of Watson's Conduct Before the Tragedy.

tators at the Ellison murder trial tolay. The defendant probably watched the proceedings with greater interest than ever before; this on account of the trial gradually drawing to a close when his fate will be decided by the jury, The wife was also in attendance and was the cynosure of all eyes as the woman in the case who is said to be reponsible for her husband's rash deed.

There was a little merriment when der cross-examination Judge Powers wanted to know of a street car conduc-tor if employes who failed to ring up fares were insane, and when the wit-ness admitted that there were many such; also when the judge desired to know if rubbing the hands was a sign of mental responsibility.

INSANE CONDUCTORS.

Bush Walker was the first witness called by the defense this morning. He testified that he was employed as a motorman for the Consolidated Rallway & Power company last fall and that de fendant was the conductor on his car About two weeks before the shooting he said that Ellison seemed very wild, looked bad and talked continually about his wife and his troubles. He was ex-tremely nervous and was not able to attend to his work part of the time and make up his accounts several times. Witness testified that he was a guard at the insane asylum at Nevada, Mo., for two years and had seen a great many insane people. In his judgment ne thought that Ellison was insune durng the two weeks prior to the shooting. On cross-examination he was asked by Judge Powers if he thought a con-ductor was insane who did not ring up

don't know that they are." enductors employed on these cars then

"Would you consider a conductor inane because he did not run his car on

Then there are a lot of insane con luctors on the Salt Lake cars are there

Yes, sir, there are some.' "Are there any insane motormen?"
"Yes, sir, I think there are,"
The questions propounded and the

answers kept the spectators in a con-ELLISON LOOKED WILD.

Frank Hadley testified that he saw defendant twice on the day before the shooting and once on the morning of the shooting about 10 o'clock. He said that he had a wild look in his eyes and acted very wild. He could not get de-fendant to talk to him at all, he would just stand and grin and stare and rub his hands. In his opinion he thought that Clyde was a fit subject for Provo. Witness was greatly shocked to see defendant in such a condition. not at that time heard of defendant's

He was asked by Judge Powers on cross-examination if he considered a man who kept rubbing his hands as in-

"You've seen clothing men in their anxiety to make a sale rub their hands together haven't you?" "You don't consider that an insane act "No. sir."

hands together." The reply caused con-

siderable merriment.

Witness stated that he saw a crazy man at the poor house once and it affected him very much. He said it made cold chills run up and down his back. He said he felt the same way when he saw Clyde Ellison on the day before the shooting.

REPUTATION GOOD.

J. E. Councilman, an insurance agent, restified that he had said that Clyde's repuation and known defendant since 1896. He character are good. There was no cross-examination. Marion Peterson, a ommission man, testified to the same

ELLISON WAS CRYING.

A. E. Gerber, formerly a streetear man, now an employe of a local lumber firm, testifled that he saw Clyde on the 7th of October last when he rode up on First street car with him. He said that defendant looked very bad and was crying. He came very near falling off the car twice and once witness had to pull him back on the platform to saw defendant on Friday, Nov. 7, the day before the shooting, and he appeared very wild. He could not talk coherently and did not recognize the witness. He kept snapping his fingers and putting his hands up to his face. Judging from all his actions, witness considered that defendant was insane. On cross-examination, he was asked by District-Attorney Eichnor if he had

er been in jail.
"Yes, sir," was the reply.
"How long?"

"Eight or nine days."
"Isn't it a fact that you have been charged with criminal relations with a young girl 16 years of age and that you are now held to the district court

on that charge?" Judge King and Mr. Truman both objected to the question on the ground that there was no conviction but merely charge against the witness which had not been proven. The court overruled the objection and instructed the wit-

ness to answer the question, "Yes sir, but its a lie!" shouted the witness in a loud voice and striking his fist violently on the arm of witness stand to emphasize the state-

That's all," said Mr. Eichnor.

UNSOUND MIND.

Frank H. Hardin, who was well acquainted with defendant, stated that he saw him a few days before the shooting and that he was at that time of unsound mind. He said that defendant told him about the relations between Mrs. Ellison and Mr. Watson.

On cross-examination he said that El-lison told him in substance that he would "do Watson up" or do him some harm. He advised Ellison to leave them ill alone. Several matters were brought to the attention of the witness to which he had testified in January, when his deposition was taken. He contradicted several statements made at that time "Did Ellisor appear revengeful to-wards Watson?" asked Judge Powers. "Yes, sir, at times he did. He was very changeable."

The witness was still under cross-axamination when the court took a recess Yes sir, I've seen 'sheenles' rub their until this afternoon,

BIG BANK CHANGE UNDER WAY.

Bank of Commerce Sold to and Absorbed by the Commercial National—Purchase Price is Not Stated—Col. Donnellan To be Succeeded by E. W. Wilson.

Business circles will be surprised to | upon what we know will be a most satlearn that the Bank of Commerce is a thing of the past-that is, it has practically gone out of existence, having been sold to and absorbed by the Commercial National. Today, the last of the month, preparations are being made for the former to move from ite temporary quarters with the Utah Savings & Trust, where it found a home after the Atlas block fire until the present. Tomorrow it will begin to gradually merge itself into the purchasing bank in the big six story building at the foot of Commercial street, and for that purpose will complete its removal to-night. Under date of today the Bank of Commerce mailed the following announcement to all of its patrons:

ANNOUNCEMENT. The Bank of Commerce has been sold to and will be absorbed by the Commer-cial National bank, the transfer of the business to be made at the convenier and pleasure of the Bank of Com-

On tomorrow, May 1, and thereafter

merce patrons.

the Bank of Commerce will transact business at the Commercial National bank, and pending the transfer of the accounts, checks on us will be paid and deposits may be made as usual. Mr. E. W. Wilson will continue to act as our eashier, and when the transfer is completed will be elected cashier of the Commercial National bank. We there-fore have no hesitation in asking our friends to continue with us in our new relations and at their convenience to transfer their business to the Commer-citi National bank which, with its pres-ent connections, will become one of the leading financial institutions of the inter-mountain region. Please bring or send your pass books to be balanced as

isfactory business relation for the future.

The notice was signed by the forlowing, who are members of the board of directors, the first named of whom is president; J. A. Cunningham, W. W. Chisholm, J. D. Kendall, Boyd Park, P. S. Bascom, E. E. Rich and E. B. Critchlow. The capital stock of the Bank of Commerce is \$100,000. It was organized in October, 1890, with Fred and Sharp Walker, and W. W. Chisholm, and Boyd Park as the leading spirits. The institution has not been paying dividends, at least not of late. Mr. E. W. Wilson was elected cashier in February, 1902, and since that time the bank's business has more than doubled, a fact that has much to do with him becoming cashle of the Commercial National, succeed Col. Donnellan, who will retire to lafter private interests and to probatake up his residence in Californ Salt Lakers will learn of this with gret, as the colonel is one of the mesubstantial and progressive of citize. Pending the transfer work which we Pending the transfer work which will be supervised by Mr. Wilson, Col. Dornellan will remain at his old post and then step down and out as indicated. The present president of the Commer-cial National is J. J. Daly, the well known mining man. Recently J. E. and J. B. Cosgriff have become largely interested in the bank. The latter is also the president of the First National Bank of Rawlins, Wyoming, and the Saratoga bank of the same state. The capital stock of the Commercial

National is \$200,000 and its officers are as follows: John J. Daly, J. B. Cosgriff, O. J. Sallsbury, Moylan C. Fox, J. E. Cosgriff, W. P. Noble, George M. Downey, John Donnellan, A. F. Holden. Not an officer of either bank would say today what the purchase price was

usual so that the transfer may be made complete. We desire to express our sincere appreciation of your confidence in the past and to congratulate you

are framed for our rule and govern-

ctive stations with honesty and

sanguinary strife, so may its that sum we will provide the remainder to be stained by bloodshed in third. The conditions were accepted third. The conditions were accepted and fulfilled. this commemorative exposition and fulfilled. "After three years of struggle the